



**HB 610 – Estates - Execution of a Will - Witness Requirements**

**Committee:** House Judiciary Committee

**Date:** February 15, 2023

**Position:** Support

The Maryland Bankers Association (MBA) **SUPPORTS** HB 610, which create a prohibition on a personal representative of an estate from attesting and signing as a credible witness of a will.

Currently, a will must be witnessed by at least two credible individuals who must sign the document in the presence of the maker of the will – but there is no prohibition on potential beneficiaries/personal representatives of an estate from being a credible witness.

While this is not a universal conflict, in the event of a contested will, an instrument witnessed by those with a potential interest may be seen as having had an undue influence. This bill seeks to remove that potential undue influence from the process of executing a will – and gives a more structured approach to witness selection.

This bill offers a balanced, unbiased rule to use only witnesses with no stake in the proceedings moving forward. Accordingly, MBA urges a **FAVORABLE** report on HB 610.

*The Maryland Bankers Association (MBA) represents FDIC-insured community, regional, and national banks, employing more than 30,000 Marylanders and holding more than \$181 billion in deposits in over 1,000 branches across our State. The Maryland banking industry serves about 4 million customers across the State and provides an array of financial services including residential mortgage lending, business banking, estates and trust services, consumer banking, and more.*